

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GAYATHRI MURTHY,)	
)	
Plaintiff,)	
)	C.A. No. 4:11-cv-00105-KPE
v.)	
)	Hon. Keith P. Ellison
ABBOTT LABORATORIES,)	
)	
Defendant.)	

NOTICE OF ADDITIONAL AUTHORITY

On September 27, 2013, the District Court for the District of Massachusetts granted defendant Abbott Laboratories’ (“Abbott”) motion to exclude plaintiff’s “warnings” expert, Dr. Hamrell, and granted summary judgment for Abbott in *Calisi v. Abbott Laboratories*, Civil Action No. 11-10671-DJC. A copy of the court’s memorandum and order is attached as Exhibit A hereto.

The expert excluded in *Calisi*, Dr. Hamrell, is the same expert plaintiff offers on warnings in this case, and Dr. Hamrell’s excluded opinion in *Calisi* was identical to the opinion he offers here: that Abbott’s warnings regarding lymphoma in Humira users were inadequate. The plaintiff in *Calisi* suffered from the same disease as the plaintiff in this case, lymphoma. Plaintiff was represented by the same lawyers who represent plaintiff in this case, and sued the same defendant, Abbott, for allegedly failing to warn of the risk of lymphoma in Humira users. The bases for Abbott’s motions to exclude Dr. Hamrell and

for summary judgment on the adequacy of warnings in *Calisi* are the same as the bases for Abbott's motions seeking the same relief in this case.

Dated: September 27, 2013

Respectfully submitted,

/s/ Michael P. Foradas (by permission by Michael L. Brem)

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CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2013, a true and correct copy of the foregoing was served electronically through the Court's Notice of Electronic Filing upon:

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